

**MINUTES OF THE EMERALD COAST UTILITIES AUTHORITY BOARD MEETING
HELD THURSDAY, JANUARY 26, 2017 AT 2:00 P.M. IN THE ECUA BOARD ROOM
AT 9255 STURDEVANT STREET, ELLYSON INDUSTRIAL PARK, PENSACOLA, FL**

Members present: Lois Benson, Chairman
Dale Perkins, Vice Chairman
Vicki Campbell (arrived at approximately 2:03 p.m.)
Elvin McCorvey
Larry Walker

Counsel present: Bradley S. Odom

Staff present: Stephen E. Sorrell, Executive Director
Nathalie Bowers, Public Information Officer
Tim Haag, Director of Government Affairs
Linda Iversen, Executive Assistant to the Board
Jim Roberts, Public Information Officer
Randy Rudd, Deputy Executive Director-Shared
Services
Patty Sheldon, Director of Finance

ITEM 1 – INVOCATION AND PLEDGE OF ALLEGIANCE

Prior to calling the regular meeting of the Board to order, Dr. Walker provided the invocation and led the Pledge of Allegiance.

ITEM 2 – CALL TO ORDER

Chairman Benson called the regular meeting of the Emerald Coast Utilities Authority Board to order at approximately 2:01 p.m.

ITEM 3 – ADOPTION OF AGENDA

Chairman Benson added “Cantonment explosion” under New Business.

Dr. Walker added “sewer expansion” to the agenda under Unfinished Business.

A motion was made by Dr. Walker, seconded by Mr. Perkins, to adopt the agenda as presented and amended. Motion carried 4-0.

ITEM 4 - PUBLIC HEARINGS:

There were no public hearings.

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ITEM 5 - OPEN FORUM

Dr. Timothy Brooks, 4806 Rosemont Place, Pensacola, FL addressed the Board concerning the requirements for backflow valves for residential services, particularly on residential irrigation meters.

Board members and staff explained that the requirements for backflow preventers was a mandate to ECUA from the Florida Department of Environmental Protection (FDEP). Further, what is currently required of ECUA customers is the result of ECUA's contesting this mandate. It was suggested that Dr. Brooks contact members of the State Legislature in an effort to get the mandate rescinded.

Mr. Perkins further suggested to Dr. Brooks that with his scientific background, that he prepare a professional report based on his knowledge and present that to the members of the State Legislature.

Mr. Sorrell provided an overview of the backflow prevention program, explaining the possibilities of contamination to the public water supply. Mr. Sorrell indicated that ECUA will be submitting its first report to FDEP March 31, and currently 50-70% of our customers have complied. Further, he believes that FDEP will attempt to force compliance.

Chairman Benson asked that Dr. Brooks be invited to the Board meeting when this issue next comes before the Board.

ITEM 6 – PRESENTATIONS

None.

ITEM 7 - APPROVAL OF MINUTES:

A motion was made by Mr. Perkins, seconded by Mr. McCorvey, to approve the minutes of the regular Board meeting of December 15, 2016 as presented. Motion carried 5-0.

ITEM 8 - REPORT OF THE ECUA CITIZENS' ADVISORY COMMITTEE 12/07/16

A motion was made by Ms. Campbell, seconded by Mr. McCorvey, to approve the following recommendations for Items F. through J. Motion carried 5-0.

F. Contract extension: Air release valve replacement

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Approve the first of two one-year contract extensions with Pensacola Concrete Construction Co., Inc., based upon the mutual agreement of both parties, that there will not be an increase in the prices in their original bid, with funding from CIP Project RS423C.

G. Award of bid: Annual rental contract – diesel bypass pumps and storage tanks

Award the annual service contract for diesel bypass pumping to Rain For Rent, Inc., the lowest responsive bidder, in the amount not to exceed the unit cost pricing per bid tab, and authorize payment from CIP Project RS728J – Annual L/S Mechanical Needs. The duration of the contract will be for one year, with two optional one-year extensions, upon the mutual agreement of both parties, with no increase in unit cost prices.

H. Purchase of Alk-Aquit® and Bioxide® Plus 71

Waive competitive bidding based on our experience, excellent results and the sole-source status of these proprietary products, and approve a contract for one year, with option to renew for one additional year with no change in price, with Evoqua Water Technologies for the purchase of Alk-AQUIT® and Bioxide® Plus 71 for \$1.58 and \$3.73 per gallon, respectively, with funding from the appropriate budget line item.

I. Award of Bid: Annual service contract – entrance roads and trees

Award the annual service contract for maintenance of entrance roads and trees for ECUA lift station and easement sites to HHH Construction of NW Florida, Inc., Pensacola, FL, the lowest responsive bidder, in the amount not to exceed the unit cost pricing per bid tab, with \$75,000 from CIP Project RS849 and \$100,000 from CIP Project CA515. The duration of the contract will be for one year, with two optional one-year extensions, upon the mutual agreement of both parties with no increase in unit cost prices.

J. Services agreement – Greensouth Solutions, LLC

Approve and authorize the Executive Director to sign the agreement with GreenSouth Solutions, LLC, for transporting and land applying sludge at the rate of \$35 per ton with them transporting and \$8 per ton with ECUA transporting to GreenSouth Solutions, LLC, for disposal, with funding for these services through the appropriate budget line item.

ITEM 9 - OPERATIONAL ITEMS:

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(a) Adoption of Resolution 17-01

A motion was made by Ms. Campbell, seconded by Mr. McCorvey, to adopt Resolution 17-01 - A RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE ORIGINAL EXPENDITURES FOR ADDITIONAL UTILITY SYSTEM PROJECTS. Motion carried 5-0.

Mr. Perkins suggested that the Engineering Department develop a list of "shovel ready" projects in order to be prepared for any grants that may be coming from the Federal government since emphasis is now going to be placed on infrastructures throughout the United States. By doing so, it may give ECUA an edge in acquiring such funds.

(b) Award of bid – Escambia County CDBG Fire Hydrant Program-2015 Program year

Mr. Sorrell advised that the CIP project number listed in the subject line of this item was incorrect. The correct number is RW909N.

A motion was made by Mr. McCorvey, seconded by Ms. Campbell, to award the contract for Escambia County CDBG Fire Hydrant Program – 2015 Program Year to Underground Solutions, LLC, the lowest bidder, for the base bid in the amount of \$205,558.50 with funding reimbursed from Escambia County. Motion carried 5-0.

(c) Easement encroachment agreement – Chase Rawson 2011 Trust

A motion was made by Dr. Walker, seconded by Mr. McCorvey, to approve the encroachment agreement and authorize the Executive Director to execute that document. Motion carried 5-0.

Ms. Campbell disclosed that she does jobs with the Attorney representing the encroaching party.

ITEM 10 - INFORMATIONAL REPORTS

None.

ITEM 11 - EXECUTIVE DIRECTOR'S REPORT:

The following report was presented for information only and did not require action.

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(a) Notification of Emergency Purchase – Sanitation truck

Mr. Sorrell reported on the cleaning and upgrade project in the downtown area, providing samples of things that were found in the water lines. Mr. Sorrell further stated that the result of this project is that the area has a much greater water flow.

Mr. Sorrell also reported that the water main in the Sabine Inlet on Pensacola Beach may not be at the proper depth in some areas and will require the areas of the line to be lowered so as to avoid possible rupture of the line by boaters.

Mr. Perkins commended staff on the work that is being done.

Mr. McCorvey inquired if Mr. Sorrell knew about the situation that recently occurred with three City of Pensacola's CNG recycling trucks. Mr. Sorrell responded that he heard about the incident but did not know the cause. Mr. Perkins stated that the newspaper reported that the fires could have been the result of lightning strikes.

ITEM 12 - ATTORNEY'S REPORT

Mr. Odom reported that he has met with and trained the new Committee member, Mr. Womack, on the Sunshine Law and his role as a Committee member.

Further, a favorable ruling has been received from the Judge relative to the taking of property at a local C & D pit (Rolling Hills) and the ECUA can proceed with the project to protect the line.

Mr. Odom stated that ECUA has prevailed in a lawsuit filed by and employee, although the employee will be appealing the ruling.

Also, Mr. Odom reported that the property issues with Santa Rosa Island Authority and reclaimed water have been concluded and the project can proceed.

ITEM 13 - UNFINISHED BUSINESS

Although reflected in agenda order in these minutes, Item 13(a) was considered following Dr. Walker's withdrawal of his addition to the agenda and following consideration of Chairman Benson's agenda addition of "Cantonment explosion".

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(a) Discussion – Time limit for Open Forum

Dr. Walker commented that perhaps the Board would consider an Open Forum time limit of five minutes, or no limit at all and leave it to the Chairman's discretion.

A motion was made by Dr. Walker to remove any set time limit and generally recognize the power of the Chair to control the limiting of the statements by speakers. *Motion died for lack of a second.*

Mr. Odom cautioned against such a policy as it may be seen as an infringement upon someone's freedom of speech.

Mr. McCorvey stated that he feels the time limit should remain at three minutes.

A motion was made by Ms. Campbell, seconded by Mr. Perkins, to set the Open Forum time limit at five minutes.

An amendment to the motion was made by Ms. Campbell to set the policy at three minutes with the option to extend it to five minutes. *The amendment died for lack of a second.*

The vote on the main motion carried 4-1 with Mr. McCorvey voting against the motion.

(b) Sewer Expansion (Walker)

Dr. Walker withdrew this topic from the agenda.

ITEM 14 - NEW BUSINESS

(a) Explosion at the IP plant (Benson)

Mr. Sorrell provided a verbal report on any impacts to ECUA relative to the reclaimed water being supplied to IP as a result of the explosion at that plant. Mr. Sorrell stated that IP is continuing to take the water from ECUA and staff has not had any concerns. Regarding potential contamination of the potable water supply, ECUA does not anticipate any concerns with the drinking water.

Staff was requested to obtain an opinion from the Health Department Director, Dr. Lanza, as to safety of the potable water.

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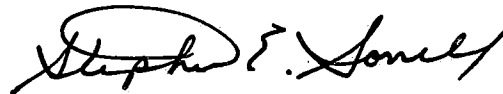
ITEM 15 - BOARD COMMUNICATIONS

Ms. Campbell commented on her recent visit to Tallahassee, indicating that there was some discussion with the officials about a Bill regarding deep well injections. Mr. Sorrell stated that the Bill does not have any impact on ECUA as ECUA does not deep well inject. Further, this bill would apply to those industries that do, such as Ascend.

ITEM 16 - ADJOURNMENT

There being no further business to come before the regular meeting of the Emerald Coast Utilities Authority Board, Chairman Perkins declared the meeting adjourned at approximately 3:16 p.m.

Respectfully submitted,



Stephen E. Sorrell
Executive Director and
Secretary

APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON 02/23/17.

- (X) Without corrections/amendments.
- () With corrections/amendments being: